

REMARKS

Applicants have carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

The application as examined included claims 1 - 682, of which claims 1-627 were cancelled, claims 628 - 655 were withdrawn and claims 656 - 682 were examined.

In the present response, claims 657 - 659, 665 - 666, 669, 672 - 674, 676 - 677 and 682 are amended. Pending claims 656 and 660 - 664 and withdrawn claims 628 - 655 are cancelled without prejudice. Claims 667 - 668, 670 - 671, 675 and 678 - 681 are unchanged. Claims 683 - 691 are added.

Claims 683 - 690 are similar in scope to claims 629 - 636 and to original claims 2 - 9. Support for claim 691 is found in the specification, inter alia, in paragraph [0423] of the application as published (U.S. Published Patent Application No. 2006/0257643).

Claims 656 - 682 stand rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as being obvious over, Craig (U.S. Patent No. 4,474,852) or Forgacs (Published PCT Patent Application No. WO 03/044124).

Craig describes an improved hydrophobic composite prepared by depositing on a particulate or granular core material an adherent first coat comprising a film-forming polyurethane and, optionally, asphalt, and applying to the thus-coated core material a hydrophobic colloidal oxide, such as hydrophobic fumed silica.

Forgacs describes a method for the preparation of aggregates.

Applicant submits that Craig and Forgacs describe hydrophobic composites including urethane as a glue. This glue is solvent based, and requires a solvent, which is

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hazardous to the environment. The method of preparing a hydrophobic composite of the present invention, as recited in claim 678, uses water based glues that are environmentally friendly. Thus, the present invention is novel and inventive over the prior art of Craig and Forgacs in the use of water based glues, even though water based glues are repelled by hydrophobic powder.

Applicant respectfully submits that none of the prior art, either alone or in combination, shows or suggests the method of the present invention, as recited in claim 678, including, inter alia, applying an adherent layer onto a core material where the adherent layer includes a water-based gluing agent. Claim 678 is therefore patentable.

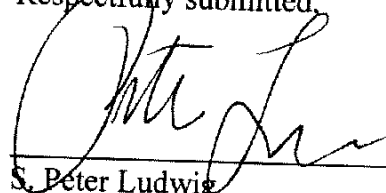
Claims 657 - 659, 665, 669, 672 - 674 and 676 - 677 are amended to depend from claim 678 instead of cancelled claim 656. Claims 666 and 682 have been amended to correct minor errors.

Claims 657 - 659, 665 - 677 and 679 - 691 each depend directly or ultimately from claim 678 and are patentable.

Applicants reserve the right to pursue the claims as filed in the context of a continuation application.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,


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